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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/824,355	04/02/2001	Edward J. Gottsman	38836.00.0044	7180
30498	7590	10/21/2010	EXAMINER	
Vedder Price PC 222 NORTH LASALLE STREET CHICAGO, IL 60601			CORRIELUS, JEAN M	
ART UNIT	PAPER NUMBER			
		2162		
MAIL DATE	DELIVERY MODE			
10/21/2010	PAPER			

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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*Ex parte* EDWARD J. GOTTSMAN

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Appeal 2010-000335  
Application 09/824,355  
Technology Center 2100

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Before Kimberly R. Jordan, *Division I Support Administrator*.

This application was electronically received by the Board of Patent Appeals and Interferences on October 5, 2009. A Docketing Notice was mailed on October 17, 2009. Upon review of the application, it has been determined that a remand to the Examiner is necessary to consider the following issues and to take necessary corrective action.

AMENDMENT NOT CONSIDERED

An Amendment After Appeal Brief was filed in this application on November 18, 2009. There is no indication in the record that the Amendment was considered by the Examiner. The Examiner needs to determine if the Amendment will or will not be entered, and notify Appellant of said entry or non-entry.

Accordingly, it is ordered that the application is remanded to the Examiner:

- 1) to consider the Amendment After Appeal Brief filed November 18, 2009;
- 2) to notify Appellant of the entry or non-entry of the Amendment After Appeal Brief filed November 18, 2009;
- 3) for further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

rwk

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